

Application No. 10/649,537  
Preliminary Amendment dated May 3, 2005  
Reply to Final Office Action dated February 8, 2005

## **REMARKS**

### **Examiner's Interview**

The Applicants' representative wishes to thank the Examiner for the courtesy extended during the Examiner's Interview conducted on April 7, 2005. During the interview, the Examiner and the Applicants' representative discussed the inversion of the ratio "fw/ft," which should in fact be "ft/fw." The Examiner and the Applicants' representative reached agreement that one of skill in the art would recognize the inversion, especially in light of the four examples on pages 18-25 of the application that each show the ratio must be ft/fw to satisfy the claimed ranges. Thus, correction of the inversion introduces no new matter.

### **Status of the Application**

The amendment filed 11/15/04 is objected to under 35 U.S.C. § 132 because it introduces new matter into the disclosure.

Claims 1-10 are pending in the application, the status of the claims is as follows:

Claims 1 and 10 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Claims 2-9 are rejected based upon the rejected base claim.

### **Specification Amendments**

As noted in the Office Action dated August 10, 2004, the shortest focal length condition (fw) should always be less than or equal to the longest focal length condition (ft). Thus, the condition  $3.1 \leq fw/ft \leq 5.5$  is incorrect, as shown by the four examples on pages 18-25 of the present application. This inverted ratio has therefore been corrected by the above amendments to indicate  $3.1 \leq ft/fw \leq 5.5$ . As this ratio is satisfied by each of

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the examples, these amendments do not introduce any new matter. Please see the summary of the Examiner's Interview above in which the Examiner and the Applicants' representative reached agreement that the ratio was in fact inverted in the original application. For these reasons it is believed the objection under 35 U.S.C. § 132 is overcome.

#### **Claim Amendments**

Claims 1 and 10 have been similarly amended to correct the error due to the inversion of the ratio to require  $3.1 \leq ft/fw \leq 5.5$ . Claim 3 was amended to correct a typographical error. These changes likewise do not introduce any new matter.

#### **35 U.S.C. § 112 Rejections**

The rejection of independent claims 1 and 10, and claims 2-9 that depend from claim 1, under the first paragraph of 35 U.S.C. § 112 as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention, is respectfully traversed based on the following.

The specification has been amended to correct an inversion in the ratio that previously required  $3.1 \leq fw/ft \leq 5.5$ , to now require  $3.1 \leq ft/fw \leq 5.5$ . The corrected specification therefore describes the subject matter in such a way as to enable one skilled in the art to make and/or use the described invention. The inverted ratio has also been corrected in both claims 1 and 10, thereby enabling one skilled in the art to make and/or use the claimed invention.

Accordingly, it is respectfully requested that the rejection of claims 1-10 under the first paragraph of 35 U.S.C. § 112 as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention, be reconsidered and withdrawn.

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**CONCLUSION**

In view of the foregoing, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are respectfully requested.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims beyond the number of claims originally paid for. Accordingly, no fee based on the number or type of claims is currently due. If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed. Any fee required for such a Petition for Extension of Time or any other fee required by this response, including any fee pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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